

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORKRahson Staples

(In the space above enter the full name(s) of the plaintiff(s).)

-against-

RECEIVED
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2017 AUG 22 PM 3:14
COMPLAINT
under theCivil Rights Act, 42 U.S.C. § 1983
(Prisoner Complaint)Police Officer Myoso (or John Doe)
Miss Owens (Bellerue Shelter Administrator)
Department of Homeless ServicesJury Trial: ☒ Yes ☐ No
(check one)(Commissioner) N.Y.C. Department of Corrections
Nurse Stewart (N.Y.C. Correctional Health Services / M.D.C.)
Doctor / P.A. Peguero (M.D.C.)
Correction Officer Smith #1393
Captain Cannon Massard #16555
Aixa Padillo
Captain Allen Et. al.

(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Part I. Addresses should not be included here.)

17CV 6433

I. Parties in this complaint:

- A. List your name, identification number, and the name and address of your current place of confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff Name Rahson Staples
ID # 3001700352
Current Institution (E.M.T.C.)
Address 10-10 Hazen Street
East Elmhurst N.Y. 11370

- B. List all defendants' names, positions, places of employment, and the address where each defendant may be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant No. 1 Name Police Officer Myoso / John Doe Shield # NA
Where Currently Employed N.Y.P.D. / Amtrak
Address Penw Station(First Name + Badge #
UNKNOWN)

Defendant No. 2

Name Miss Owens Shield # _____
 Where Currently Employed Bellevue Men's Shelter
 Address 400 East 30th Street
New York, N.Y. 10016

Defendant No. 3

Name Department of Homeless Services Shield # _____
 Where Currently Employed DHS - Headquarters
 Address 33 Beaver St. 17th Floor
New York, N.Y. 10004

Defendant No. 4

Name Commissioner N.Y.C. D.O.C. Shield # N/A
 Where Currently Employed N.Y.C. D.O.C. Headquarters
 Address 75-20 Astoria Blvd.
East Elmhurst, N.Y. 11370

Defendant No. 5

Name Nurse Stewart Shield # N/A
 Where Currently Employed Metropolitan Detention Center
 Address 125 White Street
New York, N.Y. ~~10013~~ 10013

II. Statement of Claim:

State as briefly as possible the facts of your case. Describe how each of the defendants named in the caption of this complaint is involved in this action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

- A. In what institution did the events giving rise to your claim(s) occur?
 ① Penn Station ② Bellevue Men's Shelter ③ Manhattan Detention Center ④ Eric M. Taylor Center (Rikers Island).
 ⑤ Rikers Island (Parole) Writ Court.
- B. Where in the institution did the events giving rise to your claim(s) occur?
 ① Main Floor/Near Amtrak ticket Booths ② 7th Floor of Bellevue Men's Shelter ③ M.D.C. Clinic and 4 North (i.e. Those 3 on Camera).
 ④ 6 Upper, Mess Hall, Clinic & Writ Court (E.M.T.C.) Rikers Island.
- C. What date and approximate time did the events giving rise to your claim(s) occur?
 ① Jan 13-14, 2017 - evening Penn Station ② January 23, 2017 approx. 8 pm. ③ May 17-18, 2017 afternoons ④ Sexual Harassment - May 24, 2017 - July 2017 ⑤ Writ Court Dates May 30, June 15, July 10 All Factually Relevant

Defendants Continued:

Defendant 6. Doctor Peguero (M.D.C.)

Metropolitan Detention Center

125 White Street

New York, N.Y. 10013

Defendant 7. Correction Officer Smith #1393 (E.M.T.C.)

Eric M. Taylor Center

10-10 Hazen Street

East Elmhurst N.Y. 11370

Defendant 8. Captain Cannon Massard #1655 (E.M.T.C.)

Eric M. Taylor Center

10-10 Hazen Street

East Elmhurst, N.Y. 11370

Defendant 9. Aixa Padilla (Grievance/E.M.T.C.)

Eric M. Taylor Center (Grievance)

10-10 Hazen Street

East Elmhurst, N.Y. 11370

Defendant 10. Captain Allen #N/A (Female E.M.T.C. - Kitchen)

Eric M. Taylor Center (Kitchen/Mess Hall)

10-10 Hazen Street

East Elmhurst N.Y. 11370

Defendant 11. Captain Hart #330 (Female E.M.T.C. - Kitchen)

Eric M. Taylor Center (Kitchen/Mess Hall)

10-10 Hazen Street

East Elmhurst, N.Y. 11370

Defendant 12. Dr. Liataud (E.M.T.C.)

Eric M. Taylor Center (Clinic)

10-10 Hazen Street

East Elmhurst N.Y. 11370

Defendants Continued:

- Defendant 13. Correctional Health Services/N.Y.C. Health and Hospitals
Appropriate Administration/Representative - Unknown
Appropriate Address - Unknown To This Plaintiff
at Present Moment/Time
- Defendant 14. Captain Marshall (Female, Security)
Eric M. Taylor Center (Security Office)
10-10 Hazen St.
East Elmhurst, N.Y. 11370
- Defendant 15. Correction Officer Edward #4735
Eric M. Taylor Center
10-10 Hazen St.
East Elmhurst, N.Y. 11370
- Defendant 16. Correction Officer Miller #11293
Eric M. Taylor Center
10-10 Hazen St.
East Elmhurst N.Y. 11370
- Defendant 17. Correction Officer Mora
Eric M. Taylor Center
10-10 Hazen St.
East Elmhurst, N.Y. 11370
- Defendant 18. Nikita Parikh
Social Worker - E.M.T.C.
10-10 Hazen St.
East Elmhurst N.Y. 11370
- Defendant 19. Nell McCarthy
Supervising Social Worker - E.M.T.C.
10-10 Hazen St.
East Elmhurst N.Y. 11370
- Defendant 20. John/Jane Doe (Cashier)
Cashier - E.M.T.C.
10-10 Hazen St.
East Elmhurst N.Y. 11370
- Defendant 21. Miss Jeffries (First Name Unknown)
Hearing Officer Writ Court
16-06 Hazen St.
East Elmhurst, N.Y. 11370

Defendants Continued:

Defendant 22. Miss Dianna Medina (Badge #1292)
Parole Officer
210 Joralemon St. (3rd Floor) - Violation/Claim at Rikers
Brooklyn, N.Y. 11217

Defendant 23. Brian Chelcun
Parole Revocation Defense Attorney
16-06 Hazen St.
East Elmhurst, N.Y. 11370

Defendant 24. Elon Harpaz
Parole Revocation Defense Attorney
16-06 Hazen St.
East Elmhurst, N.Y. 11370

Defendant 25. Mr. McCarrion (First Name Unknown)
Writ Court Judge - Rikers Island
16-06 Hazen St.
East Elmhurst, N.Y. 11370

D. Facts: This is Civil Action Seeking Relief and/or Damages to Defend and Protect The Rights Guaranteed by The Constitution of The United States. This is Furthermore a "Prima Facie" Presentation of "Undisputable" Facts and Constitutional Violations which Substantiate (Beyond Doubt) This Title 42 U.S.C. § 1983 Claim (i.e. Obvious Blatant Violations of This Plaintiff's Civil Rights upon which Relief can and should "Certainly" be Granted in Accordance To Federal Laws, Statutes, Provisions and The Constitution of The United States of America. This Claim is Implied/Intended to Invoke Jurisdiction ~~over~~ over This Action Pursuant to 42 U.S.C. §§ 12101-2113 (Americans with Disabilities Act) Section 504, Title II (To Include as The Court deems Proper and not limited to 42 U.S.C. § 1983). The Court has Proper Venue/Jurisdiction over This Action Pursuant to 28 U.S.C. sections §§ 1331, 1343 (3) and (4), 28 U.S.C. §§ 1391 (b) (1) (2) and 2201.

This Action is Legally and Factually Based Upon Blatant Defiance and "Personal" Disregard of Clearly Established Laws of which Any "Reasonable" Person would Construe/Understand that Any Contrary Actions would Obviously be Deemed Unlawful, Subversive and Unconstitutional. Despite Extremely Severe Neurological Disabilities, I Honestly (By GOD) assert and Submit The Following Legal Facts and Implore This Court to Equitably Utilize "Best Practices" in considering such Law and Fact".

III. Injuries:

If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if any, you required and received. Beginning with January 13, 2017 Police Officer Assault (which Officers Hit to My Head has caused Irreparable/Irreversible Damages.

Note: The Worst Thing You/anyone can do to an Epileptic Person with Severe Neurological Disorder is Hit Such a Person in The Head! I have had at least 25 Serious/Severe Seizures Since January 2017 police assault. I know have had My Seizure Meds Increased Permanently (Due To Permanent Damage). Lack of Hepatitis C, and Leukemia Treatment is "Obviously" Shortened My Life Span. I'm Presently Personally Questioning My Purpose in Life - Not being meant to Suffer Consistently In This Manner. I have Stacks of Documented Medical Injuries (because of

IV. Exhaustion of Administrative Remedies: Defendants Deliberate/Depraved Indifference).

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "(n)o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted." Administrative remedies are also known as grievance procedures.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

Yes ☒ No ☐

Facts/Body of Complaint:

This Claim is Comprised of "Deliberately" Unconstitutional Acts by City Employees. Entrusted with Authority, Acting Under The Color of Law, Yet exhibiting Absolutely No Regard For Law, Minimum Standards and Especially Disregarding The United States Constitution. Defendants (listed) Deem Themselves "Above The Law and Blatantly Act with an "Air of Impunity". For This Factual Reason Defendants are being sued (Severally and Jointly) in their Individual Capacities and Entities are (as Applicable By Law Being Sued in Individual and Official Capacities). Note: The Most Uncanny Phenomenon which exist, Is The People (or Courts) Reluctance to Believe or Consider any Person In a Position of Authority Doing/committing Illegal Senseless Acts (as if they're beyond doing or being wrong). Each Defendant (listed) has Actual Personal Involvement in The Claimed Unconstitutional Acts. Furthermore, Each listed Defendant was given "Fair Warning" that they were violating "Clearly Established" as well as "Constitutional" Laws, Yet they chose to Act with Deliberate Indifference Towards Plaintiffs Rights and The Constitution as well. All Claims/Causes of Action are Comprised of Deliberate Violations of The 1st, 4th, 8th and 14th Amendments, Failure To Remedy a Wrong, Municipal Liability, Americans with Disabilities Act etc. wherein all of The Causes of Action Give Cognizable Rise and State a Civil Rights Claim which entitles This Plaintiff to Relief/Damages - With Respect To The U.S. Constitution.

- (1) On January 9, 2017, This Plaintiff (i.e. Rahson Staples) was Released (after serving 51 Months) From Marcy Correctional Facility. My Actual Charge/Circumstance is "Accomplice Liability" Charge to an Attempted Robbery by an Unapprehended Person. I served My Time "For Nothing", Yet I'm Focused on Prayer and Redemption. Nevertheless, I was Deprived of Due Process, by never being Supplied with Adequate (or Any) Parole Plans to Ensure a Appropriate Place to Stay (Residence) Upon Release. Furthermore, I am Presently Suffering From/Battling "Terminal" Leukemia,

(i.e. Now Hodgkins Lymphoma), Severe Epilepsy, Hepatitis C, and Hypoglycemia (Chronic Low Blood Sugar). Which Obviously Requires Medical Treatment (and Reasonable Accommodations)

- (2) Within 24 Hours I "Properly" Reported to My Stipulated Parole Officer/Office (Despite being Released from Prison several hours late The Previous Day) and was unable to be Adequately Housed in The Atrocious Drug-Infested Shelter Parole Officials Hastily and Capriciously Pardoned me to. Therefore I was unable to get any Adequate Sleep/Rest after arriving in New York City (late in The Evening of The Day I was Released). Please Keep in Mind, (Throughout My account of Events) That I Actually Suffer From The Most Substantially Serious Medical Ailments.

- (3) Mainly: Due to My Severe Grand Mal Seizure Disorder I Require a Constant Escort/Travel Companion (per The Orders of Qualified Licensed Medical Doctors/Specialists). I Possess Substantial/Voluminous Legal Medical Documentations of This and other Medical Facts. Yet, I have Endured an Enormous Amount of Negative Ordeals (Due to My Ailments and Disabilities I have "No" Control over. I am Consistently Discriminated against and Forced to Legally Defend My Disabilities against Cynicism and Doubts of My Condition).

- (4) I explained and Provided Documentation (Medical) to my assigned Parole Officer (i.e. Dianna Medina) while I was with My Escort (In Parole Office Lobby). Documents Clearly Proved (legally) that I suffer from a series of Substantially Serious, life-Threatening Chronic Terminal, Debilitating, Painful and Disabling Illnesses (Which Clearly affect Several of My Major Life Activities). P.O. Medina advised me to Report to Parole 2 weeks later at an address For Category 3 offenders (i.e. 210 Loraleman St. 3rd Fl.). The initial Report was at 15 Second Ave Brooklyn NY. I explained to P.O. Medina that Bellevue Shelter was Extremely Inappropriate and Unsafe For Me to Reside with My Medical Conditions. She agreed when I suggested I would be seeking Housing and assistance From My Religious Community.

(5) I was Forced to Utilize The Resources of BRC (i.e. Homeless Services) Approximately January 12, 2017, as I was running out of Money after staying in/Renting Hotel Room (i.e. and still waiting for Religious Community to find me a Vacancy at one of their Appropriate Properties. In Fact, on January 12, 2017 I Actually stayed/spent the night at a Drop-In center (which was not as Horrible/Drug Infested etc. as Actual Homeless Shelter). However My Serious Medical Issue Require My Vital Need For an Actual Bed (which Drop-In Center Only has a chair to sleep in). January 13, 2017 I was waiting for Pawn Station Office/BRC Employees to Return (From their Rounds, like the previous day). It happened to be Raining Very Hard and Extremely Cold (i.e. Freezing), so I was unable to wait outside. I can't Handle Cold Weather/anemic, which also causes My Seizures. Nevertheless, a Police Officer/or Amtrak Police officer accosted me (after I was recovering from a seizure while in sitting position waiting for BRC Employees). I also did not have an Escort with me at that Particular Moment. I Remember The Officer Roughing Me Up, Dragging me on The Ground and Officer Kicked My Quran. I was then cuffed in Amtrak Police cell (I Think it was Amtrak) where this Police Officer Punched and Skinned my head into the cell wall. The Next thing I remember is waking up in NYU Hospital on stretcher/Bed. For The Record, I can have a seizure and be Totally unable to Physically Respond and it may take some time for me to ReGain My Composure - Though I May Appear to be Awake I've experienced some Very Dangerous/Hazardous Incidents Previously due to My Seizure Disorder (and My Vulnerability) which is why I Require an Escort/Travel Companion (Per Medical Doctor and Documentation). This Incident was Very Malicious (In its Nature), Resulted In Serious Injury (which Required EMS Transportation to Hospital) and had Obvious Signs of Islamophobic Profiling as I was dressed in Religious Islamic Attire and The Kicking of Religious Book. These acts Clearly produce Constitution Claims of Violations of 1st Amendment (i.e. Religious Aspect) 4th (False Arrest), 8th (Excessive Force) and 14th Amendment (Profiling etc.) which Require ~~Further~~

Relief and Damages For Injuries (Exacerbation of Pre-Existing Seizure Episodes, Back Issues, etc.) (For having seizure)

- (6) Eventually I Required/Needed an Actual Bed to Sleep in (and The Religious Community still were making arrangement to Accommodate/Find a Decent Place For Me to Live. Therefore, I Was compelled/Ordered By Parole to Stay at Bellevue Men Shelter (In Spite of The Unlawful Blatantly Drug Infested Atmosphere there). Thus on January 23, 2017 I arrived at Bellevue Mens Shelter with My Escort (Immediately after Reporting to Parole) about 7pm. Wherein My Escort was unable to Come inside shelter and Immediately left. I Previously took All My Medication that day (i.e. January 23, 2017) For The Morning, Noon and Night/Evening Doses. I'm on a Special "High Protein" (Medical Diet) wherein I asked the Administrator "Miss Owens" (7th Floor) if I could go get something to eat For 1 minute due to My Serious Medical Issues and Need to Eat (I hadn't eaten All Day) and I had been waiting to get assigned bed For Hours. I Further explained to Miss Owens that I'm on "A Strict Medical Diet" (even showed her My Medical Paperwork) and that Shelter's Cold Snacks was Not Sufficient. Miss Owens Automatically Looked me up and Down and Ignorantly "Assumed" I Required a Religious ("Kosher Diet/Food - Her Exact Words) ~~Center~~ Because I was Dressed in Islamic Thobe/Jaalibiyah. This even after I showed her Actual Medical Documents. Miss Owens Actually Stereotypically Religiously Profiled me and became Indignant, Hostile toward me and "Maliciously" insisted I would "Not" be able to Go Get Food Under Any Circumstances (Because She "Personally" did not Understand and became Angry. She (Miss Owens) Vindictively/Maliciously said that I could not leave to get any Food or I would lose My Place in Line (Even after My Place was already documented. Furthermore, I "Specifically" explained that I "Directly" Required ~~The~~ Food Being that "I've Taken Meds All Day and haven't been able to Eat Anything which would put me in Imminent Danger and I was Not Feeling Well. I Further explained again that this is Not a Religious Issue. However a Medical Issue.

Which Only Incited Miss Owens to Continue to Look me Up and Down with Disdain/Disgust and Deliberately take measures to Disregard My Urgent Medical Need to eat (which is an Obvious Major Life Activity under The Americans with Disabilities Act) Due to her own "Malice, Hatred and Religious Hangups towards Islam - (which is Obviously/Clearly a Widespread Sentiment of The Current Populace). Miss Owens Further Maliciously exercised her Personal Evil Motive and Obvious Malicious Intent by Forbidding another Muslim resident of The Shelter (whom was present and already had a bed) From leaving for a few minutes "which he was allowed to because it was before 10 pm Bed Check" to go get Specific Food for Me. Miss Owens stated he would Face Negative Consequences for Helping/Assisting Me. Later I Inevitably suffered a Severe Epileptic Seizure (which was Clearly/Obviously Avoidable) Only because Miss Owens Acted with Unconscionable Malice and Intent to Purposely (Put me in a Situation/Circumstances) Cause me Harm. Ms. Owens Chose to Dispute with Me About Religion instead of Respecting Doctors Orders or at least not prohibiting/allowing me to - Make Provisions for Myself. Instead I was told I Fell Extremely Hard on Cement Floor (Numerous Witnesses - even Miss Owens) Injured My Head, Back and Neck. Thus I had to be Boarded and Collared by EMS and Rushed to The Hospital (i.e. Bellevue Next Door). Note: Shelter and Hospital Staff Did their Best (as one Entity/Bellevue) to act in Collusion with each other to Evade Liability. Miss Owens Later attempted to Apologize (Profusely) after The Injury In Fact Note: This Islamic Religion has began to Cause me Many Problems due to Misconceptions, Disdain and Religious Animus. Obviously, I have Documented Injuries, The entire incident is on Camera and Numerous Credible Witnesses (Even Some D.H.S. Employees). Wherein I (have no choice except to) Rightfully seek Relief and Damages for My Injuries incurred. Furthermore, This Cause of Action asserts Violative Constitutional Claims of ADA - Disregard and Depraved Deliberate Indifference to My Substantially Serious Medical Ailments (i.e. which are Beyond My Control). Therefore it is Imperative that I

3 (=)

Specify (To This Court) That I am an Individual with a Disability (Leukemia, Severe Epilepsy, Diabetes, Hepatitis C, etc.) and I Legally Medically Require Assistance (Escort, etc.). I also am "Qualified To Receive Services (From New York City Agencies) above mentioned. Furthermore I have been (and am currently being) Discriminated Against (and thus treated in a Disparate Manner From Similar Situated Persons) because of My Disability. These City Agencies Receive Financial Assistance From The Federal Government. Thus These Unconstitutional Violations (By All Defendants) have been Clearly Established Law For More Than 50 years. I also requested Grievance (which was not legible) From Administration (Bellevue) which I Submitted and Followed up to No Avail (Beaver &

- (7) This (Adjoining) Next Cause of Action against defendant (i.e. Department of Homeless Services) is Comprised and Validated by D.H.S. Administrations "Numerous" Unconstitutional Policies/Custom as well as Municipal Liability (i.e. Mowell) wherein Inadequate Supervision, Training and Several "Accepted" however Unlawful Customs are Deviously Practiced (which Inevitably give Rise to Many Constitutional Violations. For Example:
- ① The Blatant Presence, Smell and Use of Unlawful, Illegal Drugs and Substances is (More Than Routinely) "Accepted" and "Openly Tolerated". At any Given Time Investigators May Assess The Shelters and Smell The Overwhelming Obvious use of These Substances, While All Staff Disregard This Fact
 - ② Most/Any Serious Medical Emergency is not taken Seriously (at All) and Literally Laughed at.
 - ③ There are Absolute No Adequate Religious or Medical Diets Offered. Especially For Clients whom have No other Alternative Ways to be Fed (besides at the shelter). These Inappropriate/Unconstitutional Facts and The Facilities/Administrations "Blatant" Violations Acceptance and Indifference to The Safety and Needs of Clients Obviously Provides Sufficient Legal Facts which Give Rise To Several Plausible Legal Claims (1st, 8th and 14th amendment Claims) which "Directly" Led to My "Avoidable Injury in Bellevue.

- (8) My Next Cause of Action [Exclusive of Above City Entity]

3 (g)

against Defendants New York City Department of Correction
 (and Commissioner if Plausible) Presents Similar "Factual"
 Unconstitutional Violations, and Resulting Liabilities —
 mentioned in Previous Assertion/Claim #7. Mainly "Widespread
 Deliberate Indifference to Substantially Serious Medical
 Needs, Wherein, It is Well Known that there Exist an "Enormous
 Level of Employee Illegality/Unconstitutional Unwritten
 Policies/Customs of: (a) Minimization and Unlawful Discounting
 of Medical Needs, (b) Employees Defariously acting in Collusion
 to Malfeasantly Evade "any" Liability for Serious (Avoidable
 Injuries to Inmates (i.e. Falsifying Documents, Retaliation
 Non-Medical Staff (C.O.'s etc.) Deliberately/Maliciously Defiance
 of Express Instructions/Orders of Doctors). This Claim/Cause
 of Action is Factually Comprised of More than Just Factual
 Legal Assertions, However Actual Deliberately Accepted and
 Practiced Unconstitutional (even Criminal) Acts by D.O.C.
 Staff (To an "Undisputable Degree) which Obviously/Clearly
 Give Rise To Direct/Indirect Municipal Liability (i.e. Mowd
 Inc. "Horribly" Endured at least 3 Serious Seizures that
 resulted in Beyond/More Than (De Minimus) Actual Severe
 Injuries. Even Today, as I "Do My Best" to Fight For and
 Defend The Concepts and Objectives of The United States
 of America's Constitution. Just at Dinner Today (July 24,
 2017) Someone put Urine and Feces in My (Medical/Special
 Diet) Protein Shake Container. Note: This is The "Notorious
 Rikers Island - wherein My Valid Grievances are Dealt
 with in This Manner. I'm appealing to a "Higher Power"
 to bring Justice, in Order to Stop/Prevent These Blatantly
 Unconstitutional, Even Criminal and Repugnant Department
 of Corrections Policies/Customs. Which at Times have
 Psychologically Damaged and/or Destroyed The Sanity,
 Morale and Humanity of The Unfortunate Recipients
 whom are incarcerated in Rikers Island. Furthermore,
 The "Halal" Directive #3254B is Not being afforded
 to This Plaintiff (also a Municipal Liability and a Blatant
 1st Amendment Violation). This Plaintiff has suffered
 Severe Hunger Headaches and listlessness (Just to Start.
 Especially when being Deprived of Mandatory Halal

affordances. As a Devout Practicing Orthodox Muslim (i.e. Salaaf/Pious Predecessors), I am Directly affiliated with CAIR (i.e. Council American Islamic Relations) and have Fought Diligently For My Sincerely Held Beliefs (From Childhood). The N.Y.C. Department Corrections receives 10's of Millions of Dollars Annually For Religious Halal/Kosher Feeding Program. Yet there is No Actual Halal Food being Served at Rikers. The Food Must be Slaughtered in accordance to Islamic Law (i.e. Zabaha) and there is No Actual Islamic Slaughtering Facility or Distributor - Currently approved and Supplying Rikers Island. I have Food Box Labels etc. Proving This Legal Fact. The Quran Expressly States in Surah 2 ayat 168 & 172 "O Ye who Believe Eat of The Lawful Foods, and Follow not The Footsteps of Shaytan. Surah 6 ayat 21 (In The Holy Quran Goes into Depth, By Foretelling that the Shaytan (devil) do inspire their friends to dispute with me (The Actual Muslim Believer - Insha Allah) by stating Food is Lawful (Halal) which Actually isn't Lawful For True Practicing Muslims to consume. Furthermore, Those Practicing Muslims whom listen and Obey disbelievers in Islam against what GOD (Allah) Mandates will be Worshipping The disbelievers by Disregarding Allah's Commands. Furthermore if it is believed that I am Exaggerating, Please Review 14-cv-3922 From 2012 - 2014 which will Prove My Religious Authenticity and what the prior District Judge urged me to do (if ever Faced with this Delicate / Discounted Matter). I'm also, The Only inmate within The last 20 years (out of 15+000 inmates) to be formally listed as Halal. Therefore I am Validly seeking Relief / Damages against The New York City Department of Corrections For Actual Physical Damages I Sustained (i.e. Regarding Failure To Adequately Feed Me For Periods), Discounting / Making a Mockery of my Religion (i.e. along with Misappropriation of Federal Funds For Halal Affordances) which Resulted in a Systematic Starvation (Despite My Already Serious Medical Ailments) and The Several Documented Actual "Physical" Injuries incurred as a Direct Result of N.Y.C. D.O.C. Unconstitutional —

Practices, Policies and Customs. The Damages/Relief I Pray For due to Irreparable Damages to my Serious Medical Ailments are Requested/Demanded in The Form of Monetary Compensation, Only To Make Me "Whole" again before I die. (From The Exacerbation of The Injuries I Sustained Resulting From N.Y.C. D.O.C. •

- (9) On May 11, 2017 I Travelled All The Way Back To New York City From Reuniting (after Finding Family) From Ohio. I Actually Really Need to See My Children, Mother, Father, etc. Nevertheless, I've taken "Full Responsibility" and turned myself in to Parole (about 45 days delinquent). Nevertheless, I experienced a Very Bad Seizure in doing so. After I was discharged From Hospital. Parole Officers (whom were at Hospital with me) Escorted me to Metropolitan Detention Center. I also had in My Possession a Comprehensive Array of ~~Legal~~ Legal/Medical Documents Substantiating My Extremely Severe Medical Ailments. Furthermore, My Escorting Parole Officers "Specifically" Informed M.D.C. Employees/Officers of My Serious Medical Condition and Further Supplied M.D.C. Officers with Hospital Discharge Paperwork with Medical Instructions (and Special Medical Accommodations). Nevertheless, it took M.D.C. Employees (i.e. Correctional and Medical) Nearly 3 days to Acquire and Dispense to me, My Vital Life Sustaining Seizure Medications. I Specifically Implored Nurse Stewart "Personally" How Important it was Is to arrange For me to receive My "Vital" Seizure Medications (i.e. Keppra and Dilantin). Wherein Nurse Stewart Actually Disputed with me "Doubting" My Medical Needs and Further Nefariously Stating "There is Nothing in My Paperwork Stating I have Epilepsy or a Need For Seizure Medication (Unbelievable)". I then Specifically mentioned My Constitutional Right to My Prescribed Vital Medications - Thus Supplying Nurse Stewart with "Fair Warning". Basically The Same circumstances took Place with Dr./P.A. Peguero. Inevitably I Suffered From 2 Separate Seizures (i.e. May 17 in Clinic and May 18 in My Cell on 4 North) wherein I had to be carried out. Yet M.D.C. still did not get My Medications until after my Second

seizure (which was absolutely avoidable) and M.D.C. Employees tried to evade liability and cover their Malfeasance up by Refusing me "Any" Medical Treatment For My Head Injury (nor did they send me to The Hospital, which would have been appropriate). Furthermore These Two Seizures and accompanying Injuries were completely avoidable Due to 2 Facts: (1) Both seizures (I suffered) were Directly Due to Metropolitan Detention Center Employees Misplacing My Initial "Vital" Discharge Paperwork (Supplied By officers/Parole) (2) Both Medical Personnel (Nurse Stewart & P.A. Peguero) Displayed Their "Personal" Malicious Cynicism Doubting My Severe Epilepsy (though Both Employees had Simple Access to Correctional (Computer Data) History which P.A. Peguero had Knowledge of but/However Questioned The Validity of Factual Medical Data. They Allegedly eventually Found My Vital Discharge Papers (I came in with). Nevertheless, Employees Deliberately Defied The Express Instructions of Previous Prison Doctors and Outside Hospital (Due to Their Own Personal Scrutiny and Cynicism). Furthermore, after My First seizure Medical Employees (i.e. Stewart and Peguero) should have taken Proper Measures. These "alleged Medical Personnel Intentionally Denied and Delayed My Access to Vital Medical Care and Further Intentionally Interfered and Refused "Any" Vital Treatment Once it was Prescribed. Which Failed Egregiously to Meet Minimal Standards of Adequacy (Thus Violation their Obligation to Provide reasonable access to Medical Care. Which is a Obvious Breach of Medical Personnel (D.O.C.) Constitutional Duty. As well as Repugnant to The Conscience of Mankind in Violation of The Eighth Amendment, further giving rise to My Civil Rights Cause of Action constituting Cruel and Usual Punishment. I Certainly Seek "Monetary" Damages / Relief For The Injuries which amounted to Torture from this incident.

- (10) This Cause of Action is Comprised of several Inappropriate Unconstitutional (as well as unlawful) Incidents involving Blatant (Unnecessary) Attacks on My Religion, Physical Improperities and Deliberate Interference with My Religious Practices (i.e. Unrelated to Serving any Penological Interest) - Only "Personal" Unconstitutional Expressions

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of Officer Smith's Personal Desires. On May 25, 2017 at approximately 9:30am (While going to Medical Call) Trainee Female Officer Decosta attempted to Physically (Hands On) Frisk me. I Politely Explained to "Trainee" Officer that I am a Devout Practicing Adherent of Islam and it is Unlawful to be Capriciously Touched/Fondled by People of The Opposite Sex. The A Officer (i.e. Smith #1393) took "Personal" offense to a Serious Tenet of My Religion/Faith, and Maliciously stated "She don't care about 'That Shit' (i.e. Islam/Religion), This Is Jail". Upon My Return (Even though there was a Male Officer Present on The Unit), Officer Smith #1393 (Armed with Evil Motive and Intent to Personally Undermine Religion) Personally Stopped The Male Officer From Frisking Me and Insisted on Touching Me Herself. She (Smith) Further Threatened "If I want to Come on 'Her' Unit, I will have to Frisked by Her". Furthermore, Smith threatened me saying "I won't be able to 'Live' on 'Her' Unit and will have to be Packed Up If I don't Follow her Personal Intentions/Desires". When I explained The Religious Reasons, Smith made me wait in The Hallway until Captain Comes (Though I'm Sick with Cancer, Epilepsy etc.). Captain Came and Agreed with me, and let the Male Officer Frisk me. For The Record, Officers Very Seldomly Perform their Job Descriptions as Mandated (Here at Rikers) they Operate at their own Personal Leisure. Some/Most Employees here are Attempting To "Beat The System" Possibly as Much as The Inmates. On May 26, 2017 I was returning From Religious Jamaah Prayer, wherein I was "Accosted" Upon Entry to The Unit (6 Upper/Officer Smith #1393 Regular Post) By Officer Diaz #8255 whom was "Intent" o Frisking me with Her Hands "Roving all Over My Body". Diaz claimed that she couldn't Find The Search/Frisk wand (Which the Captain Ordered as an Alternative) after I Explicitly Explained to Diaz that My "Strict Orthodox Islam Expressly Prohib: Physical Contact between 'Unrelated' Men and Women. Most of all, I Pleasantly Supplied Diaz with "Fair Warning" wherein The 1st Amendment Free Exercise Clause Prohibits Capricious Interfer: with Religion and/or Religious Practices. To which Officer Dic "Arrogantly" stated (Smiling/Laughing) I'm a Culpable state of mi: that D.O.C. Overrides Federal and Constitutional Laws (verbatim Officer Smith #1393 Then Conveniently strolled out of The OFFIC

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Bathroom (with The Search Wand) Once Diaz began Touching All over me. This "Personal" Display of Ignorance and Arrogance towards The Constitution, Federal Law and Religious Principles is Unconscionable. I didn't even go get My Pain Medications (Thereafter) to avoid These Women's "Personal" Intent on Doing Whatever They want to do, and Having their way with me (i.e. Touching/Feeling on Me Capriciously). I'm Unable to Protest them from wanting to Manually Touch/Feel on me - or suffer Retaliation. I.G. Deemed This Matter Sexual Harassment. There exist a Very Serious Unconstitutional Tread of Religious Rights as well, wherein June 9, 2017 Myself and other Muslims were Deprived of My Mandatory Jumu'ah Religious Services. This was During The Holy Month of Ramadan. Right After I Made arrangements to have Holy Qurans and several Religious Books on Ramadan sent to Facility (C.M.P.C.) For all Muslim Inmates. These Arrangements were Legally Collaborated with The Religious Community sending Qurans. That Facility (D.O.C.) Failed to Provide For Muslim Inmates. Yet Similarly Situated Christians inmates have their "Own" Chapel and Boxes of Bibles laying around. My Contribution was Deviously sent back to My Religious Community Carotakers (yet I do not have Actual Confirmation of Quran being received back). We have Tracking # and a D.O.C. Employee whom signed For These Qurans - yet they have disappeared. On July 1, 2017 (i.e. Morning 10:00 am) Officer Smith #1393 (Once Again) Attempted to Denigrate, Discount and Obfuscate My Sincerely Held Religion and its Mandatory Tenets. I returned From morning medication (Pain Meds) when Smith Deviously Failed to inform me of My Eid al Fitr Religious (Annual) Festival leaving out / being called to Gym. Only after I inquired, Smith then confirmed the other muslim inmates Departure. Smith Maliciously stated "My Name is Not on The List, then gave me several of her "Personal" Reasons as why I may not Participate or Be on The list (i.e. There may be an issue with me and Imam/Community) were a Few of her "Personal" Reasons. This Assumption is Preposterous. Being that I am Probably The Most Devout Muslim Inmate I'm Extremely Instrumental in Facilitating/Accommodating

I have Many Religious Needs Out of My Own Pocket, I'm dying slowly From Cancer etc. and have No Other "Objective" except to do Very Positive Acts and Get Blessings. I've even Rallied outside with Religious Organizations For Aids to become City Holidays. These Evil People (defendants) have "Clearly" exhibited a Unconstitutionally Violative Campaign to Attack Me through their Personal Religious animals. When other similarly situated inmates are not subjected to such Malicious/Evil Religious Attacks. Thus causing a Extremely Substantial Burden For me to even (Privately) Practice My Religion. ~~It~~ In Direct Violation of My 1st Amendment, 8th, Amendment, 4th and 14th Amendment Rights, Upon which I currently Struggle to Keep The Faith and seek Relief/Damages in Monetary Form (To acquire Religious Peace). I'm Very Confused about this.

- (11) This next defendant is connected with other defendants through covert and Collusive Unconstitutional Tactics (i.e. Captain Cannon Massard #1655). I Initially encountered This Captain (Massard) approximately May 25, 2017 after the incident with her subordinate Officer Smith #1393, both D.O.C. Employees Instituted and Solidified a Malicious Contradiction. Begging with Captain Massard #1655 "Color Profiling" My Supportive Fluorescent lime Green Slippers "Because The Color Hurts Her Eyes"! She Threatened to take them Eventually. Due to her "Personal" Intentions (Proven by her initial statement about My Slippers). Substantiated by her Unlawful Confiscation of My "Medically Approved" Footwear/Slipper (Contrary to Doctor's Express Orders) which Resulted in My Contract Severe Fungus/Peeling/Bleeding and Painful Foot Injury. I am Rightfully seeking Punitive and Compensatory Relief and Damages (i.e. For [avoidable] Injuries Sustained Due to Captain Massard Deliberate Indifference and Evil Motive through her "Personal Intentions" to have My Slippers taken. Despite being given "Fair Warning" of My Serious Medical Ailments, Risk of Further Harm Injury/Doctor's Order and Constitutional Provisions/Rights. These Employees "Operate above The Constitution".

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- (12) The Next Defendant (i.e. Aixa Padillo) Constitutional Violations give Rise to This Cause of Action. Based Upon Aixa Padillo's (Grievance Counselor/Supervisor) Malicious Attempts to Ignore, Circumvent, and Act in Collusion with Grievor Defendant To Evade Any Liability For Defendants Unconstitutional Conduct, I have All Copies of Documents to Assert (By Fact and Law) Padillo Acted Deliberately to Deprive Me of My Due Process / Equal Protection 14th Amendment, 8th Amendment and 1st Amendment Constitutional Rights (To Ensure defendants Conducts were Without Actual Redress).
- (13) Defendant Captain Allen (Female, Kitchen/Mess Hall) - E.M.T.C. acted with Clear and Obvious Deliberate Indifference. By Personally Blatantly Refusing to Make Sure Plaintiff was Provided his "Vital" Medical Diet (Which Capt Allen is The Supervising Security Officer of Kitchen Area). In Fact when Mr. Staples Implored and Pleaded with Capt. Allen, She became Indifferent towards Plaintiff's Serious Medical Needs, which The Next Day July 12, 2017 caused me Extreme Distress, Hunger and Actually caused me to be Deemed (By Doctor) "Unfit for Court. Captain Allen's Actions are 8th and 14th Amendment Violations & Failure to Remedy a Wrong - In which I'm Seeking Relief For Injuries/Damages.
- (14) Defendant Captain Hart #330 (Female, Kitchen/Mess Hall) E.M.T.C. acted with even worse Deliberate Indifference than the abovementioned Captain Allen. Eating is Obviously a Major Life Activity, yet these Supervisors deemed it appropriate and acceptable for me to Not be afforded my Meals - Furthermore these are Specially Ordered By Doctor's Medical Meals. I can't explain what it feels like - "Physically" to Need Food, Watch everyone else eat and Not be afforded your own meal (Over and Over again). Even Worse Captain Hart actually became Extremely Indignant on January 12, 2017 (evening/Dinner) Basically Stating "She Don't Care, It's Nothing she Can Do, and stated" Take It or Leave It" when she tried to "Dupe" me into

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accepting Soy Milk in Place of My Protein Shake (Medical Diet). This is Obviously Unjust and Illegal Deliberate Indifference and Discrimination between People in Similar Circumstance. Because The Other Inmates Protein Shakes were there "Just Not Mine" because I complained (and Bad Things happen to Inmates who Complain about OFFICER Wrongdoings)! I'm seeking Damages/Relief for The Severe Seizure I Suffered The Next Day (i.e. Thursday July 13, 2017) after not being afforded My Doctor Prescribed Diet for over 2 Days. This Injury is a Plausible Claim For Relief as a Result of defendant's undisputable Disregard For My Health and Safety, 1st, 8th and 14th Amendment Constitutional Violations & Failure To Remedy Wrong For Punitive and Compensatory Damages in "Individual" Capacities!

(15) The Next Defendant (Dr. Liataud) has been given "Fair Warning" of My Vital Need For Treatment For My Most Substantially Serious Medical Conditions/Ailments / Illnesses (i.e. Leukemia, Grand Mal Seizures/Epilepsy and Hepatitis C). Nevertheless The Department of Corrections (via Defendant Liataud) have Clearly and Deliberately Failed to Address "Any" of My Serious Medical Ailments. Thus I have been in Consistent Pain & Suffering & Experienced Further Injuries and have Exacerbated and Caused Irreparable/Irreversible Damage to My Substantially Serious Medical Issues/Ailments. These are all Ailments that Clearly Require Medical Treatment, which I have not received any Form of Treatment whatsoever. I have Provided D.O.C. and Dr. Liataud with several "Updated" Legal/Medical Documents, Yet D.O.C. Employee are Only concerned with saving Money than Saving lives - In Obvious Violation of My 1st, 8th and 14th Amendment Constitutional Rights. For which I am Seeking Punitive and Compensatory Relief/Damages For Avoidable and Irreversible Physical Injuries.

(16) The Next defendant (i.e. Correctional Health Services / N.Y.C. Health and Hospitals) is applicable / Comprised with The Previous #15 cause of action through the same Elements & Liability - Wherein this Entity was grieved, Yet allowed The Doctor to Act with Cynicism Rather Than Facts (In

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order To Save Money By Deliberately Not Treating This Plaintiff (In Any Way, Form or Fashion). Thus putting this Plaintiff's Life, Health and Safety in "Imminent/Unnecessary Risk. For Defendants Deliberate Deprivation/Indifference Regarding Necessary Treatment, which "Any" Reasonable Person would agree/Know Leukemia (Cancer), Severe Epilepsy and Hepatitis C Requires Treatment is Unconscionable. Repugnant to The Evolving Standards of Standards of Decency along with The Conscience of Mankind (In Blatant Violation of The Cruel and Unusual Punishment Clause of The Eighth Amendment). Thus Factually and Legally "Stating a Claim" of which I am Entitled to Relief/Damages. Deriving From Dr. Liataud and Correctional Health Services (which had Adequate Knowledge to Take Precautionary/Appropriate Medical Measures Neither Persons/our Entity met minimum Standards of Health Care - Subjecting Plaintiff to suffer From a Breach of The City/D.O.C Constitutional Duty to Medical Care etc.!

(17) Defendant Captain Marshall (Female, Security) E.M.T.C. Blatantly Unlawfully/Unconstitutionally "Personally" Imposed her own Arbitrary and Capricious Judgement regarding Plaintiff's Assistive Footwear. In Blatant Defiance of Doctor's Express orders, On July 19, 2017 Capt. Marshall exercised a Abuse of Discretion, By acting Beyond The Scope of her non-Medical Duties and Unconst. tutionally Override The Doctor's Orders (which Previously Already Caused Plaintiff Serious Injuries). Which state a colorable Constitutional Claim of Deliberate Indifference to My serious Medical Needs. Doctor was Highly Upset when I Informed her of Security Personell Deliberately Disregarding her Orders. Therefore I seek Compensatory/Punitive Damages/Relief For my Injuries which affect me to This Day.

(18) These next two defendants (i.e. Correction Officers Edward 4735 and Officer Miller #11293) E.M.T.C. acted "In Accord" to Subject this Plaintiff to "Textbooks" Obvious Cruel and Unusual Punishment (In Blatant Violation of The 8th Amendment). On July 20, 2017 These abovementioned

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officers were assigned to Transport this Plaintiff and several other inmates to West Facility. There was a Heatwave this Particular Day. Wherein Both Officers went (Initially) to West Facility and waited Only about 2 minutes, then they (i.e. Officers Edward & Miller) "Impatiently" Drove away. They were Obviously trying to "Milk The Clock" when they found a spot in The Back of The Red Building and Just Lounged / Parked there for about an hour. The Heat Index on The Bus had to be at least 105+ Heat Index. People / Inmates were Pouring Sweat and Complaining. I woke up being Put on a Stretcher (with My Head Killing Me). This incident is "Obviously" a Very Plausible Claim of Cruel and Unusual Punishment which again Resulted in an "Avoidable" Injury. I also was not Fed my Vital Medical Diet that Day either. I'm Therefore seeking Relief / Damages For Violations of My 8th Amendment and The / My Injury Sustained Therefrom.

* (19) The Next Defendant and Cause of Action is By Far "The Most Malicious, Egregious Example of Clearly Deliberate Unlawful and Unconstitutionable Behavior / Conduct By D.O.C. Employee Correction Officer Mora (E.M.T.C. - Badge # UnKnown), Even The Deputy Superintendent (Beltz), 2 Captains, and his Own Transport Partner are In Conflict and Show his "Unconscionable" Malfeasant and Corrupt Acts. Thank GOD In This Particular Instance There were Some Actually Professional Supervisors with Integrity whom "Impartially" assisted me (without Prejudice) even against the other subordinate Malfeasant Officers. This Cause of Action is Comprised of Deliberate Indifference (Pronounced with Malicious Evil Motive and Intent to Cause This Plaintiff harm in Every way Possible). IF Possible Officer Mora would have Intended and Facilitated My Death. This Entire Incident is "Textbook" Repugnant To The Conscience of Mankind and an Obvious Example of Sadistic Corruption on Rikers Island by its Employees. I Really am having Trouble giving These Facts of this "Disgusting Incident". Nevertheless Please Review The Following Pages in order To Attain a Clear and Proper Understanding of My Ordeal.

Thursday Night July 27, 2017 approximately 8:30 p.m. (while Jail was on lockdown) I was informed To "Pack Up" (by Officer Barrett/6 Upper). I didn't understand "Why or where" I was to go, so I Requested to Speak to The Supervisor (which was Captain Halime). Capt. Halime said I was going out the Building and Further assured me that I would not have to wait in Holding Pens (i.e. Due to My Substantially Serious Medical Ailments/Conditions). I also was Deprived of My S.E.I.B. (Protein Shake) earlier For Dinner and not afforded Mandated Paper to sign, assuring My Receipt Thereof. Captain Halime Rushed Me Stating "The Bus and Driver is Intently waiting to drive me Right across The Street to R.W.D.C.). Nevertheless, Captain Halime's Promises were The Opposite of The Truth. I was maliciously held in the pens. I Specifically alerted and Spoke to Capt. Jones stating Several Valid Facts: ① I had not been Fed (My Medical Dict) at Dinner ② I was not Feeling well ③ Explained to Capt. Jones My Serious Medical Issues which would deem it Very Unsafe to Sleep in Holding Pen ON The Floor with No Mattress, Blanket, Etc. ④ The Fact I Did not have adequate Access to My Medications, asthma Pumps, etc. Furthermore, Captain maliciously stated (With Obvious Evil Motive and Intent) "In Spending The Night In The Pens, She don't care about Me being sick and "Do What I Got To Do"! This was after I gave "Fair Warning" of The Constitution and "What" Constitutes 8th amendment Violation In This Place (Rikers Island) any Mention of Constitution Rights is met with Deliberate Defiance, and Officers act as if They are Above Federal Law/Constitutional Law. The Next day (after Not being Supplied My Medical Dict 3 meals w/o, Lack of My Vital Medications and No Sleep at all - Previous Night. I was Finally put on a Bus to go to R.W.D.C.. I kept Explaining to The Intake C.O.s (Correction Officers) that I have Very Serious Medical ailments, yet they Deliberately Disregarded My Pleas For Precautionary Measures (Clearly Violating My Constitutional Right to Be Free From Risk of Injury).

and to not be subjected to Cruel and Unusual Punishments. As a Matter of Fact, Officer Oliveri and Mora laughed and Further scoffed at me saying "To Stop Talking about my Cancer and Illnesses"! These Officers Obviously and Clearly Knew that they were subjecting me to Avoidable Harm, Unconstitutional Conditions which would Imminently cause Me a Serious Injury. Furthermore, They Maliciously Intended to Cause me Some type of Harm for Complaining/Grieving Earlier Unconstitutional Conditions. Instead of Mora and Munley (i.e. July 28, 2017 approximately 11:48pm) Simply Dropping me off to R.N.D.C. - From E.M.T.C. which is less than 1000 Feet apart. Officers Arbitrarily/Capriciously and Maliciously Deviated From Supervisors Orders and Vindictively Picked up other inmates and Dropped Me OFF last. I was Actually on That Bus For 2+ Hours in The Sweltering/Blazing Heat (- Heat Index on Bus over 105° and No Air Conditioning or Proper Ventilation. This Clearly is The Epitome of Cruel and Unusual Punishment which Obviously Subjected Me To Imminent and Inevitable Danger/Risk of Injury. Amazingly Officers were Totally Aware (Beforehand) of My Serious Medical Conditions. Yet I'm certain Officers Intended to Hurt me as much as Possible (For My Prior Jail Grievances and Complaints - which is a Protected Activity). Retaliation is an Unwritten however Real/Factual Illegal Custom/Policy among many Street Bred/Mentality Rikers Officers. Current History Proves This to be Plausible Fact. Nevertheless, while they were attempting to Drop off Inmate Rodriguez at A.M.K.C. (which Always has The longest Wait) I had a Grand-Mal Seizure (2+ Hours on Sweltering Bus - It doesn't take that long to Drive to Borough Courts). Officer Mora attempted to sit me up even though My Neck was Seriously Hurt. He stated if I Just sit up he would Immediately "Now" Take Me to R.N.D.C.. I Really Couldn't sit up, yet he (Mora) sat me up anyway, Putting me in More Excruciating Pain. Mora Did Everything he Could by Threatening me and trying to Coerce Me to Feign Wellness, when I wasn't

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In Any Position to Move. Please Note: Officer Mora Even Threatened to lose My Property if I didnt walk off The Bus in Order to Cover up his Deliberate Indifference. When The EMS/ambulance came I was collared (even Though Mora Previously lied to A.M.K.C. Medical Staff Saying I was Refusing Medical Attention. Nevertheless, I Requested a Supervisor and E.M.S. Officers along with C.O. Munley are Material Witnesses that through all of This I had to worry (not just about My Serious Injury) I had to worry about My Property being Secured/Safe (i.e. After Officer Mora Previously Threatened To state "If I Go To The Hospital He Is Not Responsible For My Property" (While Smiling)! I Cant Believe This Officer Did This To me while I was Helpless and In Major Pain. He Shouldnt have Moved Me (i.e. Mora). Officer Munley Stated "My Property was locked up in Captains Office" He assured me before we left to Hospital in front of EMS (whom I asked to be witnesses). I couldnt Really talk too much, however I was forced to attempt to "Safeguard Myself Against Evil Officer Mora Bad/Evil Intentions. Nevertheless when I was Finally Released From the Hospital and Returned to E.M.T.C., Intake officers claimed they couldnt find My Property and it wasnt locked up/secure in Office. When I kept Insisting stating My Medications are in My Property, Officers Finally retrieved One of My Two large Bags of Property off of a Parked Bus and said there is No Other Bag. I Complained that I had other Vital Medication in Other Bag because My 1st Bag Only had All My Legal Work. Captain Cavenelli (E.M.T.C.) Finally came through, listened to me (and Contrary to The lies Intake Officers told him "That there was Only One Bag/Property). The Captain went on The Bus Himself, Then Came Back, asked me to "lock in The Pens and Trust Him". He Then attempted to Privately admonish Intake officers, asking Them "What type of Crap are They Pulling with Me and My Property"! I was able to overhear through The Cell Window. Captain Cavenelli then came to me "Shaking his Head" and handed me the other bag that the intake officers said wasnt there. Only All My Commissary

My Radio and even all My Brand New Underwear I Just Received in My Package (with My Sneakers) was not in My Property Bag. I can't understand how a Paid Correctional Officer would do this to me while I am actually sick/dying, in jail, and just got out Hospital. I barely have any money, support or anything. Yet I pray all the time, I turned myself in, etc. - For this? I am suing Officer Morain in his "Individual" Capacity and seeking Punitive and Compensatory Relief/Damages for 1st, 4th, 8th, and 14th Amendment Constitutional Violations. For Retaliation, Illegal Seizure/Deprivation of My Property, Cruel and Unusual Punishment, and Equal Protection Violations. I also must assert that in each cause of action defendants knew that they were violating clearly established laws (i.e. that have been how and procedure "openly" for over 50 years).

* Furthermore, all grievances specifically mention and give "Fair Warning" of such Constitutionally Violative Conduct will have a legal and factual basis giving rise to a Blatant Deprivation of Constitutional Civil Rights. Lawsuit would thus be inevitable, yet Defendants "Deliberately Defied" such consequences (Due to Personal Arrogance Towards the Constitution).

(26) The Next Defendants Social Services Supervisor (E.M.T.C.) Nell McCarthy, Social Worker Nikita Parikh and (E.M.T.C.) John Doe / Jane Doe Cashier, Give Rise to the Cause of Action comprised of Deprivation of My 5th and 14th Amendment Due Process Rights. Wherein, Defendants Capriciously attempted to hinder me from properly and timely file my claim because they were worried about me suing them. In some districts, it is required to have account information (i.e. for IFP purposes) verified to proceed. Each of these Defendants refused to accommodate this legal requirement by Cashier stating "They don't sign anything", Nikita Parikh saying the same and actually "stating" D.O.C. lawyers advised them not to sign anything for my lawsuit / Civil Rights case - To be exact (i.e. Tuesday July 25, 2017). This is an example of D.O.C. employees refusal to recognize and respect District Court Procedures, as well as

Employees Capricious Willingness to Act "Collectively" in Collusion to Deprive Inmates of Their Constitutional Rights, when Attempting to have The Constitution Enforced. The Outcome of My Attempt (i.e. To Preserve/Enforce My Constitutional Rights) was Bizarre and Unconstitutional. Therefore, I am Seeking Punitive and Compensatory Damages, because these defendants went "Out of Their Way" to Maliciously Personally Deprive me of My 1st Amendment (i.e. The Right of The People to Petition the Government For a Redress of Grievances), 5th and 14th Amendment Due Process Rights. I also request an Injunction and Declaratory Relief For Jail Officials to Comply with Court Orders.

(21) The Next Group of defendants (Numbers 21-25) Definitely Acted Deliberately, Maliciously and Collusively "with their "Personal" (i.e. Not Professional) Objectives. To Malfeasantly Deprive Me of Any Form of "Fair, Equitable or even Constitutional Parole Revocation/Restoration Procedures". Each listed defendant "Covertly" Acted ~~in~~ Capriciously and Arbitrarily in manners (such as) Expressing Their Personal Intentions with The Deliberate Sole Intention ~~to~~ to Evade and Violate "Normal" Parole Custom and adjective Rules and Regulations. Furthermore, I am Treated in a (Obviously) Extremely Disparate, Harmful and Reckless Manner from Similarly Situated (Alleged) Parole Violators. Whereas each defendant Acted with Extreme Prejudice, Religious Intolerance/animus, Thus defendants "Purposefully" Singled Me Out "For Harsher (Unreasonable) Treatment than that accorded to Similarly Situated prisoners, which clearly Departed From Parole Board Rules and Regulations and/or Customary Reparoling. For Example, Despite Numerous Valid Pleas to Attorney (Chelaw), Hearing Officer Jeffries, Parole Officer Medina and Parole Judge McCarris were Deliberately/Callously Indifferent to Consider My Very Substantially Serious "Terminal" Medical Issues (i.e. Leukemia Hepatitis C and Severe Epilepsy). Furthermore defendants Maliciously Refused to Accept or Peruse My Comprehensive Legal Medical Documentation (Proof) of My Illnesses. Defendants Clearly Understood My Life is In Extreme Imminent Danger - Especially when I Consistently Complained

I am Purposely being Denied/Deprived of Any Form of Medical Treatment (Whatsoever) While Im in Department of Corrections Custody. I even Explained that I Only Require a "Fair Hearing" so I could at least be subjected to a decision wherein I could Leave here and get/recieve Medical Treatment Yet, These Extremely Relevant Mitigating Facts/Circumstances Were Unconscionably "Discounted and Minimized" Construing My Life as Expendable and Meaningless. Furthermore, I willingly Surrendered after missing a few Report Dates and I Do Not have any new OFFenses/Charges (Which Standardly/Routinely Requires Parole Reinstatement or Revoke and Restore). Parole Personell have Totally Disregarded My life and Safety. Perhaps Due to Several Remarks about My Islamic Religion. Wherein The Proper/Standard Channels (Generally Provided by Parole) to Reach an Intelligent Parole Decision, were circumvented. Furthermore, Attorneys Purposely Insisted (To This Day) on Concocting ways to Adjourn any type of Dispositive Parole Decision, to ~~not~~ Simply Punish Me rather than to Obtain Sufficient Information about Me to simply make an Intelligent/Reasonable Parole Decision (i.e. Based Upon Law and Fact). Please Consider The Following Legal Facts:

- (a) May 16, 2017 - I Willfully Surrendered to Parole.
- (b) May 30, 2017 - I Attended My Preliminary Parole Violation Hearing. * Parole Officer Medina Maliciously and Unlawfully Testified "On The Record" That I was extradited From Ohio (via A Governors Warrant) and Falsely claimed that she never Harrassed Me about My Religion (i.e Islam). I was Routinely questioned in Ohio and later Released. Wherein I Personally Paid (Hundreds of Dollars) to Come ~~back~~ All The Way Back to New York and Surrender. (Note: The Hearing Officer could not Fathom This and had to excuse herself to confer with an Administrative Outside Judge after Admonishing Parole Officer Medina for Concocting an "Alternate Truth" about how I ended up In Custody. Further, P.O. Medina Maliciously stated that I am a member of The Muslim Brotherhood - To Invoke The Sentiment that I am involved in some form of Terrorist activity (This is Highly Inappropriate, Racist and OFFensive) and Untrue!

I am an American United States Citizen whom will if Necessary "Defend This Country" against any Enemy! P.O. Medina even wrote this Brotherhood Stuff in My Violation Papers. Please Check The Hearing Minutes From May 30, 2017. I dont Understood how My Religion has an bearing on Parole Violation, except to Prejudice and Sabatage My Vindication. (c) May 30, 2017 I Requested Brian Chelkun to Expound on My Medical which he Intentionally disregarded. He Personally Delayed Collaborating with me to Acquire and Submit Vital Medical Documents.

(d) June 15, 2017 - I explained to Brian Chelkun My "Dire" Need to Expediate My Parole Revocation/Restoration Process. I Previously made several Arrangements to Avoid Adjournment. Yet Brian Chelkun Purposely did his Best to Delay My Process. He even had Rebekah Coleman (Parole Defense Social Worker) mediate for him (with me), wherein I Specifically told/alerted Brian Chelkun that His Tactic Violated (Clearly) My Privileged Client Attorney Rights. Brian Chelkun Disregarded this ^{Legal} Fact and Ignored My 5th Amendment Invocation of My Right to Remain Silent. Furthermore Brian Chelkun worked against me as Follows:

- (1) Didnt allow Me (at any Time) To Present any Evidence for My Defense.
- (2) Told Me Not To Say Anything In Court/Hearing Proceedings
- (3) Never Allowed/Hindered Me from Producing any Witnesses.
- * (4) Forbade/Hindered Me from Submitting/Presenting any Medical Proof.
- (5) Violated My Confidentiality (Attorney Client Priviledge).

(6) Monday July 10, 2017 - Disregarded My Plan/Right to Submit 75+ Pages of Mitigating Medical Documents For My Defense. Malfeasantly Disregarded My Choice to Avoid Adjournment. Initially Brian Chelkun lied to me about offer, however On The Record The Judge stated he never discussed an offer. When I Requested another Lawyer whom would "Project" My Interest Mr. Chelkun put in a 7:30 evaluation against my wishes.

(e) June 28, 2017 - I went before The Writ Court Judge with Elon Harpaz wherein Mr. Harpaz Writ was:

- (1) Missing an Entire Page
- (2) Another page was Totally Unable to Read (ie Probable Cause).
- (3) He actually Yelled at Me when I Mentioned My Serious

Medical Issues and stated "He Has Too Big a Caseload" Yet he took Time to listen and Take The Advice of the Opposing D.A. Telling him The Defective Writ (For My Defense) is Acceptable. (F) Monday June 10, 2017, I was Consistently Told By Brian Chelcun that Judge McCarrio is "Prejudiced" Hard to Deal With and Does Not Consider or Give "Revoke and Restore". For Parole Cases - Regardless of The Circumstances. In other words He (McCarrio) Judges By his Own Personal "Prefabricated" Personal Sentiments. Instead of Lawful Standards and Procedures. Therefore, I am Forced to Sue all defendants connected to My Parole Hearing Matters, In Their Individual and Official Capacities For Imposing Their Malfeasant "Personal" Practices and Sentiments. Instead of Following Minimum Standards and Routine/General Procedures. These Malfeasant behaviors by Defendants "Created a Significant Risk of Increasing My Punishment, Subjected Me To A Substantial/Unwarranted Burden (Which Resulted in Physical Injuries) by Capriciously and Arbitrarily Delaying My Ability to have a Hearing in accordance to Due Process, and Thus be released and seek My Own Medical Treatment. A Preponderance of (Now-Muslim) Inmates whom are Similarly Situated and recieved "More Favorable Treatment". Given My Willfull Surrender and Medical Issues The Level of Disparity is Obvious. Coupled with Parole Officer Medina actually wrote statement slandering My (Mr. Staples) Religion, Clearly Manifesting "Personal" Islamophobia. Which Clearly Proves Much of The Motivation behind My Violation and The Manner of which My Proceedings are addressed with Religious Animus, an Evil Eye and an Unequal Hand, Thus Substantiating Religious Discrimination. Please (I Request a) Review of Parole Hearing Minutes which will Clearly Show and Prove Officer Medina Testified ~~by~~ Falsely (Perjury) and Hearing Officer Failed To Remedy The Wrong. This Obviously Violates My Constitutional Fundamental Rights Under The Equal Protection Component of The Fifth Amendment as well as ~~the~~ The/My Fourteenth Amendment - Due Process Rights. I Pray For The Adequate Monetary (Injunctive, Declaratory Punitive and Compensatory Relief/Damages For Being Senselessly and Unconstitutionally Tortured. I Simply Need to become "Whole" for The End of My Struggle/Life!

Derogatory

If YES, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

Metropolitan Detention Center/Complex and Eric M. Taylor Center (Rikers Island)

B. Does the jail, prison or other correctional facility where your claim(s) arose have a grievance procedure?

Yes ☒ No ☐ Do Not Know ☐

C. Does the grievance procedure at the jail, prison or other correctional facility where your claim(s) arose cover some or all of your claim(s)?

Yes ☒ No ☐ Do Not Know ☐

If YES, which claim(s)? Most Aspects (Especially 1st, 8th & 14th Amendment Constitutional)

D. Nevertheless Employees Maliciously Circumvent such S.O.P.'s.
Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose?

Yes ☒ No ☐

If NO, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

Yes ☐ No ☒

E. If you did file a grievance, about the events described in this complaint, where did you file the grievance?

I Properly Filed Numerous Grievances at Both Facilities (with Clear Constitutional "Fair Warning" and Formally/Properly Requested Exhaustion!
1. Which claim(s) in this complaint did you grieve? I have comprehensively "Properly"

+ Lawfully Grieved All Aspects of This Claim/Complaint with Constitutional References.

2. What was the result, if any? Rikers Island Employees (Even Grievance Workers) have Collusively become Adept in Unlawfully Circumventing The Grievance Procedure (Falsely Claimed Lost Grievances, Discard of Grievances, etc.!

3. What steps, if any, did you take to appeal that decision? Describe all efforts to appeal to the highest level of the grievance process. Nowadays D.O.C. Employees (and Many City Employees - Not all) have become quite efficient in acting "In Collusion" to Circumvent and Evade Liability for any Misconduct. For Me to "Actually" have to Argue These Particular Matters against a Legal System (D.O.C.) whom/which

Nearly has an Extensive Criminal History as The People it Supervises is Mad - and Preposterous!

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here: _____

N/A

2. If you did not file a grievance but informed any officials of your claim, state who you informed, _____

when and how, and their response, if any: I Filed (as Mentioned Previously) To The Best of My Ability.

Note: I also have Numerous 311 Complaints...

- G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies. As in Section (E) 2 (It is an Extreme Unnecessary Burden to address a Constitutional wrong consistently and be forced to address, Remedy and Confront Blatant Malfeasance (i.e. Pro Se with Neurological Disabilities) is an Enormous Burden. To The Best of My GOD-Given Ability I have Fought for My Rights (and The Constitution of The United States) Before My Extremely Serious Illnesses Kill Me!

Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.

V. Relief:

State what you want the Court to do for you (including the amount of monetary compensation, if any, that you are seeking and the basis for such amount). For The Several Systematic, yet Avoidable Physical Injuries (i.e. Severe Seizures, Head, Neck and Back Injuries) - Inflicted Maliciously with Deliberate Indifference, Which Exacerbated Pre-Existing Conditions/Injuries and Created/Gave Rise to New Injuries (Constant Migraines Chronic Back Pains) I'm Seeking Monetary Compensation (Compensatory and Punitive) Damages and Relief of \$5 Million Dollars - Compensatory and 5 Hundred Thousand Dollars Punitive Damages/Relief for Permanent Injuries Already Incurred. Deliberate Lack of Medical Treatment has Obviously Shortened My lifespan wherein I recieved No Treatment whatsoever for Leukemia, Hepatitis C, or Epilepsy therefore seeking \$5 million Dollars Compensatory/Punitive Damages/Relief. Because of The Torturous Manner of Which Defendants Violated The Constitution and Harmed This Plaintiff, I Pray This Court Initiates/Invokes "Best Practices" To Rule In My Favor To Make Me "Whole".

VI. Previous lawsuits:

- A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

Yes ☒ No ☐

On
these
claims

D.

If your answer to A is YES, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another sheet of paper, using the same format.)

1. Parties to the previous lawsuit:

Plaintiff Staples

Defendants Police Officer Benitez et. al.

2. Court (if federal court, name the district; if state court, name the county) Southern District Court of New York

3. Docket or Index number 14-cv-2046

4. Name of Judge assigned to your case Frank M. Lee

5. Approximate date of filing lawsuit March 9, 2014

6. Is the case still pending? Yes ☐ No ☒

If NO, give the approximate date of disposition November 13, 2014

7. What was the result of the case? (For example: Was the case dismissed? Was there judgment in your favor? Was the case appealed?) The case was settled for an extremely modest amount.

C.

Have you filed other lawsuits in state or federal court otherwise relating to your imprisonment?

Yes ☒ No ☐

D.

If your answer to C is YES, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same format.)

1. Parties to the previous lawsuit:

Plaintiff Staples

Defendants Officer Acosta

2. Court (if federal court, name the district; if state court, name the county) Southern District of New York

3. Docket or Index number 14-cv-3922

4. Name of Judge assigned to your case William H. Pauley III

5. Approximate date of filing lawsuit May 9, 2014

6. Is the case still pending? Yes ☐ No ☒

If NO, give the approximate date of disposition April 2016

7. What was the result of the case? (For example: Was the case dismissed? Was there judgment in your favor? Was the case appealed?) Dismissed, Due to Technicality in Previous Settlement (ie 14-cv-2046) Contract.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 9 day of August, 2017

Signature of Plaintiff

Rahim Stephy

Inmate Number

3001700352

Institution Address

R.N.D.C.
11-11 Hazen Street
East Elmhurst N.Y.
11370

Note: All plaintiffs named in the caption of the complaint must date and sign the complaint and provide their inmate numbers and addresses.

I declare under penalty of perjury that on this 9 day of August, 2017, I am delivering this complaint to prison authorities to be mailed to the *Pro Se* Office of the United States District Court for the Southern District of New York.

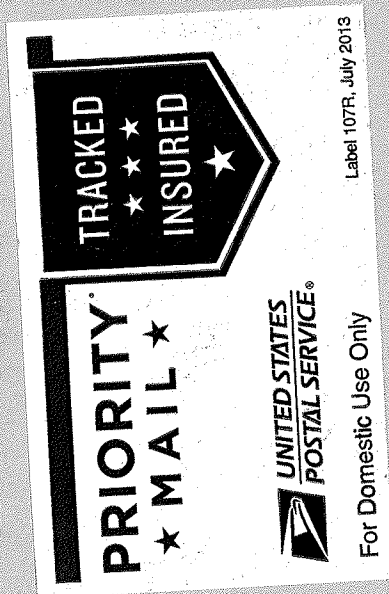
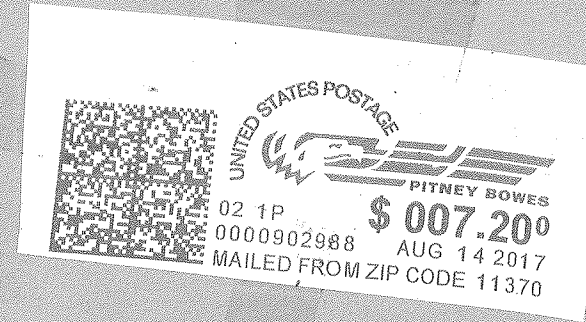
Signature of Plaintiff

Rahim Stephy

Mr. Rahson Staples #3001700352
(R.N.D.C.) 11-11 Hazen Street
East Elmhurst, N.Y. 11370

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SDNY



United States District Court
Southern District of New York
Attention: Pro Se Clerk
500 Pearl Street
New York, N.Y. 10007

Legal mail
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